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5/2/02
FILED

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

HARRISBURG, PA

MAY 01 2002

ALLFIRST BANK,

Plaintiff,

v.

JOHN M. ORTENZIO,

Defendant.

CASE NO. 1:01-CV-786

MARY E. D'ANDREA, CLERK
Per 5/2
Deputy Clerk

**MOTION FOR SUMMARY JUDGMENT OF
DEFENDANT, JOHN M. ORTENZIO**

Defendant, John M. Ortenzio, pursuant to Fed. R. Civ. P. 56, files this Motion for Summary Judgment on Counts I, II and III of Plaintiff's Complaint. In support of this Motion, Defendant, John M. Ortenzio, relies upon the Memorandum of Law filed herewith and all Exhibits attached thereto.

BLANK ROME COMISKY & McCAULEY LLP

Dated:

4/29/02

BY:

Edward I. Swichar

EDWARD I. SWICHAR, ESQUIRE

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Attorneys for Defendant, John M. Ortenzio

CERTIFICATE OF SERVICE

Edward I. Swichar, attorney for Defendant, John Ortenzio, hereby certifies that he caused a true and correct copy of Defendant's Motion for Summary Judgment to be served upon the following on this 29th day of April, 2002, by first-class mail, postage prepaid:

Lawrence Gebhardt, Esquire
Gebhardt & Smith, LLP
The World Trade Center, Ninth Floor
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EDWARD I. SWICHAR